



# Unit Updates

Missouri Department of Health and Senior Services  
Unit of Home Care and Rehabilitative Standards

Volume 05-1 – April 2005

THIS INFORMATION SHOULD BE DIRECTED TO THE MANAGEMENT STAFF OF YOUR AGENCY

## STAFF CHANGES



With a sigh of relief, I am finally able to announce we now have a full survey staff.

In October of 2004 Kay Payne, Judy Morris, and Joyce Rackers joined the Unit. The week of April 11, 2005 they flew to Denver, Colorado, to attend the Federal Basic Home Health Surveyor Training. Now they are all ready to survey home health solo. I am so excited to introduce to you the following surveyors:

**Kay Payne, R.N., B.S.**, will be half time out in the field surveying and the other half of her time will be spent in the office assisting with administrative duties. She has volunteered to do a good number of the complaint investigations, which will help free up the other surveyors. Kay has worked the past 7 years for Health Facility Regulation, surveying hospitals, rural health clinics and ambulatory surgical centers, and end stage renal dialysis clinics. So the survey process is old hat to her. In her nursing career she has worked in both home health and hospice. She has been an administrator for a county health department and worked ten years as a nurse educator.

**Judy Morris, R.N., B.S.N.**, will be surveying in the southwestern portion of the state. She will be taking over the agencies that Betty Williams surveyed. Judy has also had several years previous survey experience surveying skilled nursing facilities. She also has home health

experience. She has held an array of positions in her nursing career to include many areas of hospital nursing, ICU, OR, OB, PEDS, and surgical nursing. She has been administrator for a nursing home, provided school nursing, worked public health, and has been a nursing instructor.

**Joyce Rackers, R.N., B.S.N.**, is the new OASIS EDUCATION CORDINATOR. She will be working half time on OASIS projects and then will be surveying the other time. Joyce has home health experience, including working as a home dialysis nurse. She has many years of dialysis experience, both hemo and peritoneal. She also has hospital experience, worked for the MO Medicaid program and worked in utilization review.

The seasoned surveyors of the unit and myself are very excited to have Kay, Judy, and Joyce as part of our team.



On a sad note, due to the budget cuts and staff reduction, effective April 22, 2005, David Atkinson, office support assistant, will not be working with our unit. I believe a good many of the providers have had a chance to talk with David, when calling the office. His humor and upbeat attitude kept us all laughing. He will be sadly missed.

Debi Hytla, Senior Office Support Assistant, will be very busy holding down the fort. Our unit is very fortunate to have Debi. She has been the office's solid rock, having been with the unit for the past 8 years.

With the budget reductions, our unit lost the health program representative position. This has been vacant since Debbie Kempker resigned in February. One thing we can all count on is that change is constant. Having worked in the healthcare profession for the past 25 years, I can certainly attest to this. The seasoned surveyors have been real troopers throughout this past year, working very short staffed they have all remained positive and continue to put their best foot forward.

In March, Julia M. Eckstein was appointed as the Director of the Missouri Department of Health and Senior Services.

## **CMS MANDATE FOR UPGRADING**

## **HOME HEALTH AGENCY SOFTWARE**

Please see attached memo, **Center for Medicaid and State Operations/Survey and Certification Group Memo, Ref: S&C-05-22.** This letter identifies the minimum PC system requirements for access to the Quality Improvement and Evaluation Systems (QIES). The update needs to be implemented by December 31, 2005.

## **FAMILY CARE SAFETY REGISTRY (FCSR)**

There still seems to be much confusion regarding agencies being in compliance with Section 660.317 RSMo. All home health agency employees providing direct patient care need to have been checked for a hit on the FCSR after August 28, 2003. For example, if your agency

had an employee that was hired in 2001 and you did the criminal background check and checked the EDL when they were hired in 2001, your agency still must check the FCSR on or after August 28, 2003. **If you have employees who were hired prior to August 28, 2003 and you haven't checked to see if there is a hit on the FCSR, please check it now.**

If the FCSR is what your agency uses exclusively for criminal background checks **and** EDL checks then here is a step by step procedure to follow that will assist in assuring your agency is in compliance with Section 660.317 RSMo when hiring persons to provide direct patient care:

### **1. CRIMINAL DISCLOSURE STATEMENT**

Have the criminal disclosure statement on your application and assure the applicant completes and signs that portion. (Doesn't need to be on application, however this helps to assure it isn't overlooked).

### **2. REGISTER WITH THE FCSR**

If applicant hasn't registered with the FCSR, assist them with registering at time application is completed and returned. (It is law; any person hired for elder care and/or childcare worker needs to have registered with the FCSR.)

### **3. REQUEST INQUIRY TO FCSR**

Employer needs to request an inquiry to the FCSR prior to hiring if this is how agency is assuring applicant not listed on the EDL. (Registering isn't the same as submitting an inquiry.)

### **4. EDL CHECK**

Because the FCSR includes results of EDL check you must have the results assuring person not listed on EDL prior to offering employment.

### **5. HIT ON FCSR OTHER THAN A OR B FELONY**

If there is a hit on the FCSR for a crime other than crime against persons (A or B Felony), person can have patient contact after they have submitted a Good Cause Waiver.

#### 6. HIT ON FCSR WITH A OR B FELONY

If there is a hit on the FCSR for a crime against persons (A or B Felony), person can not have patient contact unless they have submitted a Good Cause Waiver, **and it** has been granted by the Department of Health and Senior Services allowing the person to see patients.

The FCSR is only mandated for Home Health employees, however we are seeing that many hospices are choosing to use the FCSR also for their criminal background checks as well as for EDL checks. If you are a hospice provider and you have an employee with a hit on the FCSR other than and A or B Felony then it is an employment decision as to whether you allow this person to have patient contact and whether or not the person submits a Good Cause Waiver. If the hospice employee submits a Good Cause Waiver it will be processed just as any other waiver.

The question has been asked by many providers, "Do we have to check the FCSR yearly?" According to 660.317 RSMo it doesn't need to be done but once, however it would seem to be a good policy to do yearly, as the registry is continually being updated.

In April of 2005 the FCSR started to allow agencies to request background screening information using the Internet. Each agency must obtain an application form from the FCSR and have a signed Memorandum of Agreement approved by the Department. The registry will accept 3 names from each agency and they will be given a user id and password. You may obtain information regarding this process by calling toll free 1-866-422-6872.

In the fall of this year the FCSR will be set up for employees to register on line with on line

acceptance of credit cards. This should really speed up the process for the providers.

## PHYSICAL THERAPY ORDERS

As of August 28, 2004, 334.506 RSMo allows physical therapists to take orders from physicians practicing in another jurisdiction. Prior to this, physical therapists seeing clients in Missouri could only take orders from Missouri physicians. At this time physical therapist can accept orders from physicians in any state as no restrictions apply.

NURSES- still can only take orders from physicians in bordering states.

## FUTURE INFORMATIONAL BULLETINS "UNIT UPDATES"

The Unit of Home Care and Rehabilitative Standards will be setting up a "list serve" on our computer system that will include the email addresses of all the providers our unit regulates. Effective immediately this is how the quarterly newsletter will be dispersed. Due to the budget cuts the newsletter will no longer be mailed. It is imperative that each agency submits the email address of the administrator, and one other contact from your agency if you wish, to Debi Hytla at: [Deborah.Hytla@dhss.mo.gov](mailto:Deborah.Hytla@dhss.mo.gov).

THE UNITS' WEB SITE  
[www.dhss.mo.gov/HomeCare](http://www.dhss.mo.gov/HomeCare)

Included in this packet of information you will find a print out of our Unit's web site, so please review and familiarize yourself if you haven't visited it before.

Also included is a page with the related links, which I feel you will find helpful.

Under publications you will find the directory of all of the agencies and the quarterly informational bulletins, presently named, "Unit Updates".

## STATISTICAL INFORMATION

### NEW AGENCIES & CLOSED AGENCIES

#### January 2004-April 2005

8 Home Health agencies closed

1 Hospice Closed

9 New Home Health Agencies Certified and /or Licensed.

12 New Hospices Certified and/or Licensed

### COMPLAINTS

#### April 2003-April 2004

84 Allegations

32 Complaint Allegations Substantiated

#### April 2004 –April 2005

32 Allegations

2 Substantiated (6 pending an investigation)

### MOST FREQUENT CMS TAGS CITED YEAR 2004

G165

Conformance With Physician Orders - 36

G236

Clinical Records - 28

G118

Compliance with Federal. State, Local Laws - 25

G337

Drug Regimen Review - 15

G159

Plan of Care - 15

G229

Supervision - 10

## PROGRESS NOTES & 60 DAY SUMMARY

Attached is a reference sheet to assist with clarification between progress notes and 60-day summary.

## HOME BOUND ISSUES

Just to inform you that the Home Health Agency Manual, Chapter II, Coverage of Services, section 204.1 has been updated. Please view at the following web site:

[http://www.cms.hhs.gov/manuals/11\\_hha/hh200.asp](http://www.cms.hhs.gov/manuals/11_hha/hh200.asp)

## CORRECTION

Correction to the Home Health Aide Competency Exam – page 4. A new page 4 is included in this packet; please replace this page in your agency's Home Health Aide Competency Exam.

## CHANGES

A REMINDER: Any changes with agency information; i.e., new administrator, new address/or telephone number- send notification to our office on Agency letterhead as well as contacting your fiscal intermediary.

Happy Spring!!



From the Staff of the Unit of Home  
Care and Rehabilitative Standards